

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

MELISSA ATER, individually and on )  
behalf of minor child, A.A., )  
                                          )  
Plaintiff, )  
                                          )  
                                          )  
v. ) 2:19-cv-00568-JDL  
                                          )  
CITY OF BATH, et al., )  
                                          )  
Defendants. )

**ORDER ACCEPTING THE RECOMMENDED DECISION OF THE  
MAGISTRATE JUDGE**

Plaintiff Melissa Ater commenced this action against six Defendants, including Officer John Doe 1, on December 18, 2019 (ECF No. 1). On March 30, 2020, the Plaintiff was ordered to show cause in writing why service had not been timely made upon Defendant Officer John Doe 1 (ECF No. 15). The Plaintiff did not respond to the Order to Show Cause. United States Magistrate Judge John H. Rich III filed a Recommended Decision with the Court on June 30, 2020 (ECF No. 33), pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2020) and Fed. R. Civ. P. 72(b), recommending that the Court dismiss the action as to Defendant Officer John Doe 1.

Subsequently, the Plaintiff moved for leave to amend her complaint, and her motion was granted. Due to the filing of the amended complaint, the Magistrate Judge filed a Supplemental Report and Recommended Decision with the Court on July 24, 2020 (ECF No. 39) regarding the dismissal of Defendant Officer John Doe 1. The time within which to file objections has expired, and no objections have been

filed. The Magistrate Judge provided notice that a party's failure to object would waive the right to *de novo* review and appeal.

I have reviewed and considered the Supplemental Report and Recommended Decision, together with the entire record, and have made a *de novo* determination of all matters adjudicated by the Magistrate Judge. I concur with the recommendations of the Magistrate Judge for the reasons set forth in his Supplemental Report and Recommended Decision and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Supplemental Report and Recommended Decision of the Magistrate Judge (ECF No. 39) is hereby **ACCEPTED**. Accordingly, the Recommended Decision of the Magistrate Judge (ECF No. 33) and the Order to Show Cause (ECF No. 15) are deemed **MOOT**.

**SO ORDERED.**

**Dated this 17th day of August, 2020.**

/s/ Jon D. Levy  
**CHIEF U.S. DISTRICT JUDGE**